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In re Application of  
J. JUDKINS, et al.  
Application No. 09/513,784  
Filed: February 25, 2000  
For: INTEGRATED ACD AND IVR  
SCRIPTING FOR CALL CENTER TRACKING  
OF CALLS

DECISION ON PETITION  
TO WITHDRAW HOLDING OF  
ABANDONMENT

This is a decision on the Petition to Withdraw Holding of Abandonment based on failure to receive Office Action filed March 8, 2004.

The petition is **DENIED**.


This application became abandoned due to failure to pay the issue fee in response to the Notice of Allowance and Issue Fee Due mailed October 2, 2003. A Notice of Abandonment was mailed on February 23, 2004.

Petitioner has alleged non-receipt of the Notice of Allowance. In the petition, the petitioner has provided an affidavit from Leticia Herrera stating that no Notice of Allowance was received and docketed. In addition, attached to and referenced in the petition is a copy of the docket record where the non-received office communication would have been entered had it been received and docketed. However, the petition lacks a statement from the petitioner attesting to the fact that a search of the file jacket and docket records indicates that the office communication was not received.

The requirements for a successful showing of non-receipt of an Office action in accordance with MPEP § 711.03(c) are: 1.) a statement from the practitioner stating that the office communication was not received by the practitioner; and 2.) attesting to the fact that a search of the file jacket and docket records indicates that the office communication was not received.

Accordingly, the petition does not comply with the requirements of a successful petition to withdraw the holding of abandonment due to non-receipt of an Office action as set forth above.

Petitioner is given **TWO MONTHS** from the date of this decision in which to supplement the petition by including statements from the practitioner as outlined above. The file is being forwarded to the file repository to await a reply from the petitioner.

  
Kenneth A. Wieder  
Special Program Examiner  
Technology Center 2600  
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